

**LENAH AUTO SERVICE
STATEMENT OF JUSTIFICATION
SPECIAL EXCEPTION**

September 29, 2006
Revised November 6, 2006
Revised April 17, 2007



This Statement of Justification is submitted in support of an application for a special exception to permit the renovation of an existing service station. The Owner of the premises is Randolph Rouse and is hereinafter referred to as the "Applicant". The property on which the special exception use is located at 41105 John Mosby Highway, Aldie, Virginia. The tax map references is as follows: Tax Map 100 Parcel 7D (PIN: 286-40-0187) containing .75 acres (the "Property"). Adjoining parcels related to this parcel are identified as: Parcel 7 (PIN: 286-40-2471) containing 1.59 acres; 7A (PIN: 286-49-8780) containing 0.41 acres; and 7E (PIN: 286-49-9864) containing 1.49 acres. All of the properties are zoned RC for rural commercial use. An auto service station on the site is permitted by special exception under Loudoun County Zoning Ordinance Section 2-904(D). The business is currently operating under an existing Special Use Permit approved by the Loudoun County Board of Zoning Appeals on August 20, 1954. The use of the premises as a auto service has been continuous from late 1954 to the present. The Applicant is seeking to renovate and upgrade the existing service station by replacing outdated fueling equipment and to expand the business by adding two additional fueling dispensers.

LOCATION: The Property address is 41105 John Mosby Highway, Aldie, Virginia. It is located on the south side of Route 50 in the area known as "Lenah". It is bounded on the north by property owned Airco Properties, Inc.; vacant land owned Continental Telephone Company of Virginia; vacant land owned by James Madison LLC. It is bounded on the south by land owned Lenah Run Homeowners Association zoned Transitional Residential and by land owned by the Applicant zoned RC. It is bounded on the east by land owned by Samuel and Karen Skillman zoned Rural Commercial containing a warehouse and land owned by Kaya LLC zoned Rural Commercial. It is bounded on the west by property owned by Doreen Prevatte zoned Transitional Residential.

ZONING AND USE: The zoning of the Property is RC, rural commercial. There is currently on the Property an auto service station with gasoline pumps under a canopy. An auto service station on the Property has been in continuous operation since late 1954, when the use was approved, up to and including the present time.

PROPOSED USE: The Applicant proposes to improve the facility by replacing the outdated fueling equipment and to add an additional fueling pump to better serve its customers and the surrounding community. There is adequate parking for the business and no other physical changes to the use are proposed.

COMPREHENSIVE PLAN: The Property is located in an area identified in the Comprehensive Plan as the Transition – Upper Broad Run Policy Area. The proposed special exception supports the existing economy by supplying a needed service and is in compliance with the Comprehensive Plan.

CRITERIA FOR APPROVAL OF SPECIAL EXCEPTION: The Applicant respectfully submits that the proposed special exception on the Property meets or satisfies the criteria set forth in Section 6-1310 of the Loudoun County Zoning Ordinance.

- The proposed special exception use is consistent with the Comprehensive Plan.
- The proposed special exception use will continue to provide adequately for safety from fire hazards and will continue to have effective measures of fire control.
- The noise level of the proposed special exception use will not negatively impact the uses in the immediate area.
- The proposed special exception use will not generate any additional glare or light visible from adjoining properties.
- The proposed use is compatible with other existing uses in the neighborhood and adjacent parcels.
- The Applicant is proposing sufficient landscaping, screening and buffering on the Property to adequately screen surrounding uses.

- The proposed special exception will have no impact on preservation of topographic or physical, natural, scenic, archaeological or historic features.
- The proposed special exception will not damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.
- The proposed special exception at this site will contribute to the welfare of the public and promote convenience to the public by continuing to offer a necessary service.
- The traffic expected to be generated by the proposed use will continue to be adequately and safely served by existing roads. There are no pedestrian connections and other transportation services to be addressed at this site.
- No existing structures are being converted. An existing unused building on the site will be removed as shown on the Special Exception Plat.
- The site at issue for this special exception is served by private well and sanitary drainfield. No public services are required or will be impacted by this special exception.
- This special exception will have no effect on groundwater supply.
- The proposed use will have no effect on the structural capacities of the soils.
- The special exception will not negatively impact the orderly and safe road development and transportation.
- The special exception will provide desirable employment and enlarge the tax base by supporting the surrounding community and providing a needed service all of which is consistent with the Comprehensive Plan.
- The special exception considers the needs of the agriculture, industry, and businesses in future growth.
- Adequate on and off-site infrastructure is available.

- The special exception will not generate odors by the uses on the site which may negatively impact adjacent uses.
- The proposed special exception will use sufficient measure to mitigate the impact of any minimal construction traffic on existing neighborhoods and school areas that may be caused by the special exception.

TRANSPORTATION/PUBLIC IMPROVEMENTS: There is a commercial entrance located on the site which is adequate to serve the expanded business.

TRAFFIC IMPACT: The traffic impact of this proposed use is expected to be minimal since the requested special exception renovation and the addition one fuel pump. The number of trips per day will be minimally increased, if increased at all. A Traffic Impact Study Letter has been submitted to Office of Transportation Services in support of this application. If the staff requires further information, the Applicant will provide it.

PUBLIC UTILITIES: The Property is served by well and sanitary drainfield as shown on the special exception plat. Current service to the Property is adequate to serve the proposed expansion and will not have to be expanded or enlarged.

CONCLUSION

The use is permitted by Section 2-904(D) of the Loudoun County Zoning Ordinance in the RC Zoning District. The Applicant proposes to renovate and upgrade the existing auto service station and to add two fueling dispensers which are being proposed by this Application. The upgraded service facility will better protect the environment by replacement of the existing equipment and will continue to serve and support the surrounding community and its economy. The use is compatible with the existing uses in the district, and will satisfy the review criteria set forth in the Zoning Ordinance. The use will have no negative or harmful impacts on the adjoining properties. Rather, the use will continue to provide a needed service to the residents and the businesses of the area. The Applicant respectfully requests that the Planning Commission and the Board of Supervisors approve this special exception application.

Respectfully submitted,

RANDOLPH ROUSE

By: Counsel



Robert E. Sevila
Sevila, Saunders, Huddleston & White, P.C.
30 North King Street, P.O. Box 678
Leesburg, Virginia 20178-0678
(703) 777-5700
FAX (703) 771-4161
Counsel for Applicant